APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,429	03/28/2001	John M. Mela	21113-05687	5043

758   7590   12/12/2002

FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

EXAMINER
THEIN, MARIA TERESA P. O.

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 12/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/820,429	MELA, JOHN M.
	Examiner	Art Unit
	Marissa Thein	3625

-- Th MAILING DATE of this communication appears on th cov r sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 March 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15, 18-22 and 25 are rejected under 35 U.S.C. 102(b) as

being anticipated by U.S. Patent No. 5,825,651 to Gupta et al. Regarding to

claims 1-4 and 8, Gupta discloses a method for performing a product

configuration comprising: receiving user input specifying a domain member;

propagating the constraints over the received user input; modifying the result by

detecting and eliminating incompatibilities; generating a configuration page

based on the modified result; providing the configuration page to the user;

repeating steps included in the method until the product configuration is

complete; and wherein the method is implemented by a set of software

instructions running on a computer. (See at least abstract, summary, col. 4, lines

39-57, col. 8, line 5 – col. 9, line 37)

Regarding claims 5-7. Gupta discloses a system for performing a product

configuration comprising: a configuration engine adapted to receive user input

and to propagate the constraints; a bounceback detection module operatively

coupled to the configuration engine; a page generation module operative coupled

to the configuration engine; and wherein the configuration engine and the

bounceback detection module are implemented by a set of software instructions. (See at least abstract, summary, col. 4, lines 39-57, col. 8, line 5 – col. 9, line 37)

Regarding to claims 9-15, 18-22 and 25, Gupta discloses a method for detecting bounceback behavior associated with a configuration problem comprising: receiving a domain member selection for a particular variable; setting a bounceback detection bit vector associated with each non-selected domain member; setting an elimination flag associated wit each non-selected domain member; propagating the constraints to identify eliminated domain members of the variables; setting the bounceback detection bit vector of the eliminated domain members to indicate which variable caused their elimination; setting the elimination flag of each of the other eliminated domain members; initializing the bounceback detection bit vector for each domain member of each variable; initializing the elimination flag for each domain member of each variable; wherein the receiving step includes receiving a plurality of domain member selection associated with a corresponding number of particular variables, and the setting and propagating steps of the method are performed for each of the domain member selections; wherein the bounceback detection bit vectors that indicate bounceback behavior indicate that the particular variable associated with the selected domain member is responsible for elimination of the non-selected domain members; confirming the tentative elimination of a non-selected domain member in response to the bounceback detection bit vector; overriding the tentative elimination of a non-selected domain member in repose to the bounceback detection bit vector. Furthermore, Gupta discloses wherein the step

of setting the bounceback detection bit vector of an eliminated domain member

to indicate which variable caused that domain member's elimination includes:

identifying a domain member causing the eliminated domain member to be

eliminated; copying the bounceback detection bit vector associated with the

identified domain member to the bounceback detection bit vector associated with

the eliminated domain member; generating a configuration page; and providing

the configuration page to a user. Moreover, Gupta discloses wherein the steps

of the method are repeated each time a user submits one or more new domain

member selections; and wherein the method is implemented by set of software

instructions running on a computer. (See at least abstract, summary, col. 9, line

38 – col. 10, line 67; col. 11, line 65 – col. 13, line 67)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negated by the manner in which the
> invention was made.

Claims 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gupta in view of U.S. Patent No. 5,515,524 to Lynch et al.

Gupta discloses the claimed invention, however, it does not disclose identifying a

join corresponding to a disjunction; logically ANDing the bounceback detection bit

vectors; copying the resulting bounceback detection bit vector to the bounceback

detection bit vector associated with the eliminated domain member; identifying a

join corresponding to a conjunction; logically ORing the bounceback detection bit

vectors; and copying the resulting bounceback detection bit vector to the

bounceback detection bit vector associated with the eliminated domain member.

Lynch, on the other hand, teaches identifying a join corresponding to a

disjunction; logically ANDing the bounceback detection bit vectors; copying the

resulting bounceback detection bit vector to the bounceback detection bit vector

associated with the eliminated domain member; identifying a join corresponding

to a conjunction; logically ORing the bounceback detection bit vectors; and

copying the resulting bounceback detection bit vector to the bounceback

detection bit vector associated with the eliminated domain member. (See at least

col. 15, line 6 – col. 16, line 66; col. 21, line 8 - col. 22, line 55; col. 25, line36 –

col. 27, line 19) It would have been obvious to one of ordinary skill in the art at

the time of the invention was made to modify the method of Butler to include the

identifying the join corresponding to the conjunction (ANDing and/or ORing), as

taught by Lynch, in order to provide a method of operating a telecommunications

network wherein a plurality of service modules are configured for processing

service requests concerning corresponding communications services. The

service request prompts a selected service module to develop network

instructions usable by the network for implementing the corresponding services.

These instructions are then provided to the network elements for providing the

requested services.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,708,798 to Lynch et al. discloses a constraint-based configuration system suing a structural model hierarchy.

U.S. Patent No. 6,167,383 to Henson discloses an online store user interface for enabling custom configuration, pricing, and ordering of a computer system via the Internet.

U.S. Patent No. 5,745,765 to Paseman discloses the configuration of custom products using selectable components that allows interaction participation of the designer.

U.S. Patent No. 6,405,308 to Gupta et al. discloses the ability to interactively select and configure a product among a set of related products based on availability and compatibility of features and options.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-308-1113.

mtot
November 25, 2002